

PLANNING AGREEMENT AND INFRASTRUCTURE STATEMENT OF COMMON GROUND

Land to North of Little Green Lane Croxley Green WD3 3SP

LPA Planning Application Reference: 24/2073/OUT

LPA Appeal Reference: 26/0012/REF

PINS Appeal Reference: 6004972

4 September 2026

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1.0 INTRODUCTION

- 1.1 This Statement of Common Ground (“SoCG”) has been prepared by Osborne Clarke LLP acting on behalf of Richborough (“the Appellant”) and Three Rivers District Council as the Local Planning Authority (“the Council”)
- 1.2 At the time of finalisation a response had not been received from Hertfordshire County Council and therefore, in order to assist the Inquiry, we have proceeded to finalise matters, as they are understood to be, between the main parties.
- 1.3 This statement sets out the matters agreed and disputed in respect of infrastructure and Section 106 obligations relating to an appeal against the refusal of the Council to grant planning permission (reference number: 24/2073/OUT. It should be read in conjunction with the Planning Committee Report which sets out the detailed Heads of Terms necessary to make the development acceptable and which subsequently informed Reason for Refusal 3.
- 1.4 The application was recommended for approval by Officers. The application was refused by Members of the Planning Committee on 22 January 2026.
- 1.5 The site address is:
- “Land to North of Little Green Lane, Croxley Green, WD3 3SP”***
- 1.6 The description of development is as follows:
- “Outline Application: Development of up to 600 residential dwellings (Use Class C3(a)), construction of a 5-bedroom property for children’s social care and supported living (Use Class C3(b)). Two vehicular access points from Little Green Lane and further pedestrian / cycleway accesses. A one form entry primary school (Use Class F1(a)) (plus expansion land for a two form entry primary school). A mixed use local centre including provision for NHS health and social care services (Use Class E(e)), community building (Use Class F2), retail and café provision (Use Class E(a-c)), car parking and associated infrastructure. A country park, areas for play and recreation, allotments, community orchard and landscaping with associated infrastructure including sustainable urban drainage systems. (Layout, scale, appearance and landscape as reserved matters).”***
- 1.7 Under Section 78 of the Town and Country Planning Act 1990, the appeal is to be dealt with by the public inquiry procedure with the Inquiry opening on 18th August 2026.
- 1.8 At the Case Management Conference held at 2pm on Monday 1 June 2026 the Inspector it was agreed to ensure that the S106 is expedited, and to clarify the evidence which may be needed at the inquiry, agreement or otherwise on all matters to be included in the S106 is required by 29 June 2026.
- 1.9 The Council provided an initial draft of the Section 106 to the appellants on 21 May 2026. This draft was subject to further required input by the Appellants and Hertfordshire County Council in respect of the heads of terms. At 12.37 hours on 26 June 2026 the Appellants returned the draft with proposed substantive amends and input. Wording is still awaited from Hertfordshire County Council. This

Statement of Common Ground has not been reviewed against the amended draft Section 106 provided by the Appellants on the 26 June 2026.

2.0 AGREED PLANNING AGREEMENT MATTERS

- 2.1 The parties agree on the following matters. Please note the principle of payment of legal and monitoring fees is agreed and are not detailed in this document.

Obligations to the Council

Affordable Housing

- 2.2 The scheme proposes to deliver 50% (300 units) of the dwellings as affordable units, with the remaining 50% (300 units) being provided as open market dwellings. 50% Affordable Housing (300 units) is proposed comprising:
- 70% (210 units) for Rent (70% (147 units) Social Rent / 30% (63 units) Affordable Rent
 - 30% (90 units) for Affordable Ownership (e.g. Shared Ownership)

Sports Provision

- 2.3 A contribution of (£903,491.00) (index linked) for the following obligations:
- Natural Grass Pitches £217,169
 - Adult Football £52,381
 - Youth Football £70,447
 - Mini Soccer £20,951
 - Rugby Union £10,767
 - Cricket £62,624
 - Artificial Grass Pitches 3G £117,438
 - Tennis £21,226
 - Indoor Swimming Pools £330,488
 - TRDC Monitoring Fee £380

Local Centre and Community Facilities

- 2.4 The scheme proposes construction of a 5-bedroom property for children's social care and supported living (Use Class C3(b)); a one form entry primary school (Use Class F1(a)) (plus expansion land for a two form entry primary school); a mixed use local centre including provision for NHS health and social care services (Use Class E(e)), community building (Use Class F2), retail and cafe provision (Use Class E(a-c)); a country park, areas for play and recreation, allotments and community orchard.
- 2.5 Community Building/Sports Hall:
- (a) to pay to the Council the Community Building Contribution (£273,328.00) (index linked); OR

- (b) Construct and Practically Complete on the Site the Community Building in accordance with the Community Building Specification

Country Park and Woodland Management

- 2.6 Richborough to carry out the Managed Land Works to deliver the Country Park the Woodland and the Open Space. A monitoring contribution to TRDC of £380 is required.
- 2.7 Keep open the option of transfer to a third party (provide for the woodland and part of the Country Park (and associated commuted sum) to be transferred to the agreed third-party organisation, should agreement be reached at any point up to an agreed trigger (e.g. prior to occupation of a specified number of dwellings) and require any such transfer to be accompanied by an approved Detailed Woodland Recreational Management Plan and Habitat Management and Monitoring Plan, prepared at reserved matters stage)
- 2.8 Specify a clear fall-back to a management company (in the event that no suitable third party is willing or able to take on the land and financial contribution, the default would be for the woodland and Country Park to be retained and managed by an on-site management company, again in accordance with the approved management plans and funded via estate service charges/endowment).

Biodiversity Net Gain

- 2.9 A monitoring contribution to TRDC of £11,610 (index linked).

Obligations to the County

Children's Home

Construction of a 5-bedroom property for children's social care and supported living (Use Class C3(b)) and associated transfer of building/land.

Transport Matters and Accessibility

- 2.10 When having regard to the Local Transport Plan and the County Council's aims to deliver sustainable development, the scale of development generates a financial contribution of £5,916,600. This sum can be split between a variety of strand 1 and strand 2 contributions/works to improve the sustainability of the site.

Strand 1 Site Specific Contributions (direct site specific)

- 2.11 The Strand 1 contributions are agreed as follows:
- A contribution of £1,955,000 (index linked) paid annually for five years (£391,000 per year (index linked)) towards a Dedicated Bus Service - New half-hourly service (Watford/Rickmansworth).

- Rousebarn Lane Upgrade - From Little Green Lane to Gade Avenue - £25,000
- LCWIP Contribution - Watford & Three Rivers Route 2 improvements - £15,000
- Beryl Bikes - Expansion and docking station provision - £45,000
- Travel Plan Evaluation - HCC Evaluation Fee (residential and education)- £16,500
- Travel Vouchers and Car Share - 6 x 4-week passes (Arriva All Zone) per unit £511,200

Strand 2 Contributions (cumulative impacts)

- 2.12 Strand 2 works relate to works required to deliver the scheme and are secured by virtue of compliance with conditions for access works and via S278/38 of the Highways Act. These works include the site accesses, new priority junction, enhanced traffic calming, 20mph zone, on-street cycling measures, bus infrastructure, active travel signage, vegetation clearance and maintenance. These works are costed to the value of £705,000 and deducted from the overall total contribution required. These works are necessary to access the development and create a safe highway environment. They are not required to be CIL Compliant.

Residual Highways Contributions

This residual contribution of £1,578,900 (index linked), is to be spent towards the enhancement of active and sustainable travel networks and improving walking and cycling network within the immediate locality.

Opportunities to improve active and sustainable travel in Croxley Green and the surrounding areas have been highlighted in the Watford and Three Rivers Local Cycling and Walking Infrastructure Plan (LCWIP). The plan includes upgrades and key interventions to cycle infrastructure, including to cycle priority enhancements along the A412 corridor towards Watford, known as Route 2 in the scheme. A brief summary of the potential interventions includes:

- Various junctions on the A412 between Whippendell Road and Watford cycle routes 6 and 17 to give safe continuation of the cycle track over the mouth of each junction.
- Two-way cycle track on the north side of the A412 between Gade Avenue and Cassio Road.
- Improvement of A412/Metropolitan Station Approach/Hagden Lane signals to give additional priority to peds/cycles.
- Additional signalled crossings at A412/Ascot Road roundabout. • Crossings along the Baldwins Lane/Watford Road roundabout should demand require this improvement.
- Two-way cycle track on the south side of the A412 between Baldwins Lane and Ascot Road roundabouts and to continue westwards along the A412 past Croxley Station and The Green.
- Upgrade of crossing of A412 at Winton Approach to a signal crossing with further crossings of the A412 and priority over side roads.

- A priority crossing along the A412 Watford Rd where the A412 Watford Rd meets Frankland Road, near Croxley Station.

Financial Contributions

- 2.13 SEND Contribution - £784,006 (index linked) towards new Severe Learning Difficulty (SLD) special school places (WEST) and/or provision serving the development.
- 2.14 Waste Service Transfer Station Contribution £63,947 (index linked) towards increasing capacity at Waterdale Transfer Station and/or provision serving the development.
- (a) Step Free Contribution – An uncontested financial contribution of £1,065,000 towards the delivery of step-free access at Croxley Underground Station. The amount is to be paid to TfL through the Council.

Primary School Obligations

- 2.15 Primary Education Contribution - delivery of a new 1FE (up to 2FE land) primary school in the area and/or provision serving the development. - £6,300,360

Obligations to Hertfordshire & West Essex Integrated Care Board (ICB)

Medical Centre

- 2.16 Medical Centre Fit Out Contribution (£1,850,000.00) (index linked).
- 2.17 To submit to the Council for approval the Medical Centre Specification prior to Occupation of the first Dwelling.
- 2.18 To construct the Medical Centre to Shell and Core Condition (to be defined in the s106) in accordance with the Medical Centre Specification.
- 2.19 Medical Centre contribution £1,003,200 (index linked), in the event that the Medical Centre is not constructed on site.

Financial Contributions

- 2.20 Mental Health costs (to address the impact of new development, and the additional residents on mental healthcare) - 600 dwellings x £338.92 per dwelling = £203,352 (index linked).
- 2.21 Community Healthcare costs (to address the impact of new development, and the additional residents on community healthcare) - 600 dwellings x £352.68 per dwelling = £211,608 (index linked).

3.0 AREAS OF DISAGREEMENT ON PLANNING AGREEMENT

3.1 Areas of disagreement with the County Council:

- (a) Secondary Education Contribution (including 6th Form) - towards the expansion of a Secondary School in the area and/or provision serving the development - £4,384,945 (comprised £3,628,920 towards Secondary Education and £756,025 towards 6th Form). The amount of the contribution is disputed by Richborough who consider the appropriate contribution to be £1,542,291 toward Secondary Education only is payable and no contribution towards 6th Form.

3.2 It is clear it is not the principle that is in issue but the amount.

4.0 SIGNED:

For Appellant:



Date: 04 September 2026

For the Council:



Date: 04 September 2026